

**BEFORE THE  
ILLINOIS COMMERCE COMMISSION**

Joint Petition for Resolution of Disputes	)	
Relating to Billing Performance	)	Docket No. 03-0769
Measurements	)	

**FORTE’S INITIAL COMMENTS ON DISPUTED ISSUES**

Forte Communications, Inc. (“Forte”), pursuant to Notice issued by the Administrative Law Judge (“ALJ”) on March 26, 2004, hereby submits its Initial Comments on Disputed Issues.

**Introduction**

Forte’s comments concern Disputed Issue 16. Forte proposes that the current PM 124 (Timely Resolution of Significant Software Failures Related With Releases) be replaced with PM 124 (Measurement of Orders Effected By Software Defects Not Resolved Within 48 Hours). SBC’s opposes Forte’s proposal.

**Discussion**

The disputed issues needing Commission resolution were set forth at pages 6-8 and in Attachments A and B of the Amended Joint Petition. As noted above, Forte’s Comments only concern Disputed Issue 16:

**Disputed Issue 16: Deletion of PM 124 (Timely Resolution of Significant Software Failures Related With Releases) and Replacement with PM 124 (Measurement of Orders Effected By Software Defects Not Resolved Within 48 Hours)**

When an order is invalidly rejected, it gets returned to the CLEC, even though the order should proceed through SBC’s OSS systems. Forte must then spend time and

resources to determine the cause of the reject, only to find out that the order was properly formatted, correct and valid as originally sent. There are inadequate performance measures for orders submitted by carriers to SBC that receive an invalid reject notice. Significantly, there is currently no performance measure that addresses an invalid reject resulting from a software problem occurring in SBC's systems. Even where an order is properly formatted by a CLEC, it is often rejected due to errors contained in SBC's software. When such a reject of the order occurs, there is no provision to allow a CLEC to be compensated by SBC. This is not a new issue for competitive carriers or SBC. Forte raised this problem with SBC at various performance measure collaboratives over the past year. Additionally, the issue of invalid rejects has been a persistent problem for Forte that extends back several years. To date, SBC has not been responsive to Forte's concerns.

Exhibit A, attached to these comments, contains Forte's proposed PM 124 that would measure occurrences of invalid rejects. The purpose of Forte's proposal is to account for SBC's software defects. This provides a necessary incentive for SBC to fix this persistent problem. Forte proposes to define an "invalid system reject" as a properly formatted '850' LSR order, as defined by SBC's documentation, that rejects invalidly due to a software defect in SBC's OSS. Invalid System Rejects would be remedied for each defect not resolved within 48 hours.

### **Conclusion**

For the reasons described above, Forte requests that the Commission resolve Disputed Issue 16 consistent with its arguments above.

Respectfully submitted,

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**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2004 a copy of the Initial Comments of Forte Communications, Inc. was served upon the parties listed on the attached service list via E-docket and e-mail.

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